UNITED
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General Assembly

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A/C.5/49/L.40
23 March 1995

ORIGINAL: ENGLISH

Forty-ninth session
FIFTH COMMITTEE
Agenda item 113 (d)

HUMAN RESOURCES MANAGEMENT: OTHER HUMAN RESOURCES QUESTIONS

Draft resolution submitted by the Chairman following informal consultations

Payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country

The General Assembly,

Having considered the report of the Secretary-General on payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country, 1/

Recalling section II.D. of its resolution 48/224 of 23 December 1993 on the United Nations common system, in which it requested the International Civil Service Commission to study further the practices of the organizations of the United Nations common system regarding the granting of expatriate entitlements to staff members living in their home country while stationed at duty stations located in another country, with a view to harmonizing the practices of the organizations with those of the United Nations, and to make recommendations thereon to the General Assembly at its fifty-first session,

1. Takes note of the decision of the United Nations Administrative Tribunal in Judgement No. 656, Kremer, Gourdon;

2. Reiterates its decision that the repatriation grant and other expatriate benefits shall not be paid to staff who live in their home country but work in a duty station in another country, and affirms that its intention was and remains that repatriation and other expatriate benefits be limited to staff who both work and reside in a country other than their home country;

1/ A/C.5/49/59.

ANNEX

Amendments to the Staff Regulations of the United Nations

Article III

Salaries and related allowances

Replace the first sentence of regulation 3.2 (a) with the following text:

"Regulation 3.2: (a) The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university or similar educational institution of a type that will, in the opinion of the Secretary-General, facilitate the child's reassimilation in the staff member's recognized home country."

Article V

Annual and special leave

Replace regulation 5.3 with the following text:

"Regulation 5.3: Eligible staff members shall be granted home leave once in every two years. However, in the case of designated duty stations having very difficult conditions of life and work, eligible staff members shall be granted home leave once in every twelve months. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in United Nations service, shall not be eligible for home leave."

Annex IV

Repatriation grant

Replace the paragraph with the following text:

"In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the United Nations, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Secretary-General."

UNITED
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Forty-ninth session
FIFTH COMMITTEE
Agenda item 113 (d)

HUMAN RESOURCES MANAGEMENT: OTHER HUMAN RESOURCES QUESTIONS

Revised draft resolution submitted by the Chairman following informal consultations

Payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country

The General Assembly,

Having considered the report of the Secretary-General on payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country, 1/

Recalling section II.D of its resolution 48/224 of 23 December 1993 on the United Nations common system, in which it requested the International Civil Service Commission to study further the practices of the organizations of the United Nations common system regarding the granting of expatriate entitlements to staff members living in their home country while stationed at duty stations located in another country, with a view to harmonizing the practices of the organizations with those of the United Nations, and to make recommendations thereon to the General Assembly at its fifty-first session,

Noting the decision of the United Nations Administrative Tribunal in Judgement No. 656, Kremer, Gourdon,

1. Reiterates its decision that the repatriation grant and other expatriate benefits be limited to staff who both work and reside in a country other than their home country;

1/ A/C.5/49/59.

2. Approves the amendments to the staff regulations contained in the annex to the present resolution;

3. Decides to re-examine the issue of entitlement to repatriation and other expatriate benefits during its fifty-first session, in the light of the report by the International Civil Service Commission requested in section II.D of its resolution 48/224 of 23 December 1993.

ANNEX

Amendments to the Staff Regulations of the United Nations

Article III

Salaries and related allowances

Replace the first sentence of regulation 3.2 (a) with the following text:

"Regulation 3.2: (a) The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university or similar educational institution of a type that will, in the opinion of the Secretary-General, facilitate the child's reassimilation in the staff member's recognized home country."

Article V

Annual and special leave

Replace regulation 5.3 with the following text:

"Regulation 5.3: Eligible staff members shall be granted home leave once in every two years. However, in the case of designated duty stations having very difficult conditions of life and work, eligible staff members shall be granted home leave once in every twelve months. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in United Nations service, shall not be eligible for home leave."

Annex IV

Repatriation grant

Replace the paragraph with the following text:

"In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the United

Nations, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Secretary-General."

UNITED NATIONS **A**

General Assembly

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22 March 1995

ORIGINAL: ENGLISH

Forty-ninth session
FIFTH COMMITTEE
Agenda item 107

PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995

Draft resolution submitted by the Chairman following informal consultations

Questions related to the programme budget for the biennium 1994-1995

The General Assembly,

Recalling its resolution 48/228 of 23 December 1993,

1. Regrets that the request contained in section II, paragraph 22, of resolution 48/228, in which the Secretary-General was requested to provide adequate posts for activities dealing with micro-economic issues, through redeployment, has not yet been fully implemented;

2. Requests the Secretary-General to submit to the General Assembly by 30 June 1995 proposals for fully implementing, through redeployment, the request contained in section II, paragraph 22, of resolution 48/228.

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UNITED
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28 March 1995

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Forty-ninth session
FIFTH COMMITTEE
Agenda item 162

FINANCING OF THE UNITED NATIONS MISSION OF OBSERVERS IN TAJIKISTAN

Draft resolution submitted by the Chairman following informal consultations

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission of Observers in Tajikistan 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Bearing in mind Security Council resolution 968 (1994) of 16 December 1994, by which the Council decided to establish the United Nations Mission of Observers in Tajikistan for a period of up to six months, subject to proviso that it would continue beyond 6 February 1995 only if the Secretary-General reported to the Council by that date that the parties had agreed to extend the agreement of 17 September 1994, and that they remained committed to an effective cease-fire, national reconciliation and the promotion of democracy,

Recognizing that the costs of the Mission of Observers are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recognizing also that, in order to meet the expenditures caused by the Mission of Observers, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

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1/ A/49/854.

2/ A/49/868.

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963 in the financing of such operations,

Mindful of the fact that it is essential to provide the Mission of Observers with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions; 2/

2. Requests the Secretary-General to take all necessary action to ensure that the United Nations Mission of Observers in Tajikistan is administered with a maximum of efficiency and economy;

3. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the Mission of Observers in full and on time;

4. Decides to appropriate to the Special Account for the United Nations Mission of Observers in Tajikistan an amount of 3,251,200 United States dollars gross (3,123,600 dollars net) for the operation of the Mission of Observers from 16 December 1994 to 26 April 1995, inclusive of the amount of 1,759,700 dollars gross (1,711,800 dollars net) authorized under the terms of paragraph 1 (a) of General Assembly resolution 48/229 of 23 December 1993 relating to unforeseen and extraordinary expenses for the biennium 1994-1995 and inclusive also of the amount of 651,600 dollars gross (611,600 dollars net) authorized with the concurrence of the Advisory Committee on Administrative and Budgetary Questions under the terms of section IV, paragraph 2, of General Assembly resolution 49/233 of 23 December 1994;

5. Decides also, as an ad hoc arrangement, to apportion the amount of 3,251,200 dollars gross (3,123,600 dollars net) for the period from 16 December 1994 to 26 April 1995 among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991 and 47/218 A of 23 December 1992 and its decision 48/472 A of 23 December 1993, the scale of assessments for the year 1994 3/ to be applied against a portion thereof, that is, 394,100 dollars gross (378,600 dollars net), which is the amount pertaining on a pro rata basis to the period ending 31 December 1994, and the scale of assessments for the year 1995 4/ to be

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3/ See resolutions 46/221 A and 48/233 A and decision 47/456.

4/ A/49/19 B.

applied against the balance, that is, 2,857,100 dollars gross (2,745,000 dollars net), for the period from 1 January to 26 April 1995, inclusive;

6. Decides further that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 5 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 127,600 dollars approved for the period from 16 December 1994 to 26 April 1995, inclusive; 15,500 dollars being the amount pertaining on a pro rata basis to the period ending 31 December 1994 and the difference, that is, 112,100 dollars, being for the period from 1 January to 26 April 1995, inclusive;

7. Decides to appropriate an amount of 10,044,200 dollars gross (9,547,000 dollars net) for the continued operation of the Mission of Observers for the period from 27 April 1995 to 30 June 1996, to be assessed at the rate of 717,400 dollars gross (681,900 dollars net) per month in accordance with the scheme set out in the present resolution, subject to the decision of the Security Council to extend the mandate of the Mission of Observers beyond the period authorized by the Council in its resolution 968 (1994);

8. Invites voluntary contributions to the Mission of Observers in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

9. Decides to include in the provisional agenda of its fiftieth session the item entitled "Financing of the United Nations Mission of Observers in Tajikistan".